

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re

ROMAINE MOISE INC.,
Debtor.

Case No. 1-09-49038-dem
Chapter 7

DECISION ON HEARING OF ORDER TO SHOW CAUSE

WHEREAS, on October 14, 2009, counsel for Romaine Moise Inc. (The “debtor”) filed a voluntary petition for relief under Chapter 7 of the Bankruptcy Code; and

WHEREAS, on October 19, 2009, counsel for the debtor filed an ex parte application (the “Application”) for an order allowing its President to have access to the debtor's belongings and documents and the real property located at 149-21 Jamaica Avenue, Jamaica, New York (the “Property”), and for other relief, including what the Court interpreted as a request for a comfort order that the automatic stay was in effect as to the Property; and

WHEREAS, on October 19, 2009, the Court issued an Order to Show Cause directing the creditor/landlord R & S Jamaica LLC or its attorneys to show cause at 11:30 a.m. on October 22, 2009 why an Order should not be entered allowing the debtor through its President to have access to the Property; and

WHEREAS, on October 26, 2009, counsel for R & S Jamaica LLC filed an affirmation in opposition in response to receipt of the Order to Show Cause; and

WHEREAS, the Court conducted a hearing on the Application and the Order to Show Cause on October 22, 2009 and October 28, 2009,

NOW, THEREFORE, it is hereby

ORDERED, that the Application is granted to the limited extent that R & S

Jamaica LLC shall allow Ms. Marie Fort-Monville, the President of the debtor, access to the Property on October 31, 2009, from 8:00 a.m. EDT to 9:00 a.m. EDT only for the sole purpose of removing personal belongings, financial documents and papers necessary for the preparation of the debtor's schedules for this bankruptcy proceeding, and the Application is in all other respects denied.

IT IS SO ORDERED.

Dated: Brooklyn, New York
October 28, 2009

s/ Dennis E. Milton
Dennis E. Milton
United States Bankruptcy Judge

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